



33375

PATENT TRADEMARK OFFICE



3721/15

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. SMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/996,221
Filing Date	11/28/2001
First Named Inventor	Michael A. Whitby
Group Art Unit	3721
Examiner Name	Louis K. Huynh
Attorney Docket Number	006593-1908

Total Number of Pages in This Submission 16

**ENCLOSURES (check all that apply)**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard |
|---|---|--|

Remarks

The Commissioner is hereby authorized to charge any additional fees required (including the fee for any extension of time), or to credit any overpayment, to Deposit Acct No.: 20-0809.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Thompson Hine LLP 2000 Courthouse Plaza NE, 10 West Second Street Dayton, Ohio 45402-1758
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Signature

Date

6/30/2003

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

6/30/2003

Typed or printed name Michael J. Nieberding, Registration No. 39,316

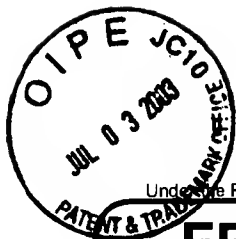
Signature

Date

6/30/2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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33375

PATENT TRADEMARK OFFICE

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 84.00)

**Complete if Known**

Application Number	09/996,221
Filing Date	11/28/2001
First Named Inventor	Michael A. Whitty
Examiner Name	Louis K. Huynh
Art Unit	3721
Attorney Docket No.	006593-1908

**RECEIVED**  
JUL 09 2003  
TECHNOLOGY CENTER R3700**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

20-0809

Thompson Hine LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
22	-20** = 0	18	0
Independent Claims	5	-3** = 1	84
Multiple Dependent			84

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 84.00)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051 130		2051 65		Surcharge - late filing fee or oath	
1052 50		2052 25		Surcharge - late provisional filing fee or cover sheet	
1053 130		1053 130		Non-English specification	
1812 2,520		1812 2,520		For filing a request for ex parte reexamination	
1804 920*		1804 920*		Requesting publication of SIR prior to Examiner action	
1805 1,840*		1805 1,840*		Requesting publication of SIR after Examiner action	
1251 110		2251 55		Extension for reply within first month	
1252 410		2252 205		Extension for reply within second month	
1253 930		2253 465		Extension for reply within third month	
1254 1,450		2254 725		Extension for reply within fourth month	
1255 1,970		2255 985		Extension for reply within fifth month	
1401 320		2401 160		Notice of Appeal	
1402 320		2402 160		Filing a brief in support of an appeal	
1403 280		2403 140		Request for oral hearing	
1451 1,510		1451 1,510		Petition to institute a public use proceeding	
1452 110		2452 55		Petition to revive - unavoidable	
1453 1,300		2453 650		Petition to revive - unintentional	
1501 1,300		2501 650		Utility issue fee (or reissue)	
1502 470		2502 235		Design issue fee	
1503 630		2503 315		Plant issue fee	
1460 130		1460 130		Petitions to the Commissioner	
1807 50		1807 50		Processing fee under 37 CFR 1.17(q)	
1806 180		1806 180		Submission of Information Disclosure Stmt	
8021 40		8021 40		Recording each patent assignment per property (times number of properties)	
1809 750		2809 375		Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750		2810 375		For each additional invention to be examined (37 CFR 1.129(b))	
1801 750		2801 375		Request for Continued Examination (RCE)	
1802 900		1802 900		Request for expedited examination of a design application	

Other fee (specify) Unintentionally delayed claim for priority

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Michael J. Nieberding	Registration No. (Attorney/Agent)	39,316	Telephone	937-443-6892
Signature	<i>Michael J. Nieberding</i>	Date	06/30/2003		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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33375

PATENT TRADEMARK OFFICE

**PATENT**# 91 B  
7/10/03  
7/10/03**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:

Applicant : Whitby et al.  
Serial No. : 09/996,221  
Filed : November 28, 2001  
Title : PACKAGE WRAPPING MACHINE WITH AUTOMATIC PACKAGE  
CENTERING PRIOR TO WRAPPING  
Docket : 006593-1908  
Examiner : Huynh, Louis K.  
Art Unit: : 3721

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

AMENDMENT

In response to the Office action dated April 1, 2003, please enter the following amendments.

IN THE CLAIMS:

1 (Currently Amended). A [package] wrapping machine for wrapping trayed food products [packages], comprising:

a wrap station at which [packages] trayed food products are wrapped;

a film dispensing station for drawing out film over [a package] trayed food products at the wrap station;

a conveying system for moving [packages] trayed food products along a defined path to the wrap station including:

a first conveyor along a first portion of the defined path;

a second conveyor along a second portion of the defined path, the first conveyor having an output end which is aligned at a height with and feeds to an input end of the second conveyor for feeding [a package] trayed food products traveling along the first conveyor to the second conveyor;